

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

SHAWN L. BURKS, # 188755 2007 OCT -4 A 10:06
Plaintiff,

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

V.S.

* Case No: 1:07-CV-337-MEF

*
DAVE SUTTON, SHERIFF, et al.,
Defendant(s),

TRAVERSE

Comes now the Plaintiff Shawn Burks proceeding pro-se and through inmate assistance and responds to the Defendant's Supplemental Response and Affidavit of Defendant, Richard Moss and shows to this Court as follows;

The Defendant's contend that their POLICY does not allow for the Inmates to have a copy of the Grievance that they file in the Coffee County Jail, however, Burks did-in-fact present a copy of the grievance that he received from a person employed by the Coffee County jail, who made the plaintiff a copy of the document, and returned it to the plaintiff, and in turn, the plaintiff submitted a copy of this document to this Court as an exhibit. In this grievance, there exist a place for witnesses to sign the grievance, and the individuals that witness this document are not-now at the facility where the plaintiff is housed, and therefore, would be impossible for the plaintiff to get their signature on this document.

The Defendant's allege that it is the policy of the Coffee County Jail, that **an inmate, under no circumstance be provided a copy of a grievance after he submitted it**, however the Defendants has fail to provide any documentation as to their written policy is regarding this, or other policies of the Coffee County Jail that they allege they did not violate.

The Plaintiff allege that the Officials at the Coffee County Jail has deliberately removed the copy of the grievance in order to advance their argument that he did not submit a grievance/or follow the jail grievance procedure

The defendant's claim that **the Plaintiff has fail to dispute that he sustained any injuries that was greater than de minimums as a result of any of his allegations**. The Defendant's has fail to provide to this Court of the Plaintiff the written report of the Doctor that examined him or to provide what treatment that was provided or recommended for his injuries.

Even though the Plaintiff may not have suffered life threatening injuries, he does suffer mental and emotional damage as a result of being shot by, what he believed to be a twelve gauge shotgun, knowing that the shotgun is designed to kill whatever it hits.

This Plaintiff has been under psychological care since he came into the Alabama Department of Corrections, and he will need a Court order to obtain a copy of each session that he attended with the Staff psychologist.

For these reasons, the Plaintiff respectfully requests that he be allowed to file a discovery request, and compel the Defendant's to provide the information requested by the plaintiff, in order to properly file a response to the defendant's special report

Respectfully Submitted

Shawn Burks

Shawn Burks # 188755

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing on the parties listed below by placing a copy of same in the United States mail properly addressed and postage pre-paid this 1st day of October, 2007.

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Shawn Burks

Shawn Burks # 188755
Elmore Correctional Facility
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Elmore, AL 36025

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MIDDLE DISTRICT OF ALABAMA
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